

REMARKS

Claims 1-20 are pending. By this Amendment, the title, specification and claims 1, 5, 10, 11, 14, 19 and 20 are amended.

An Information Disclosure Statement was filed on March 5, 2007. It is requested that the Examiner consider the references in that Information Disclosure Statement and return an initialed Form PTO-1449 in the next Office Action.

The title, specification and claims were objected to, and have been amended in accordance with the Examiner's helpful comments. It is respectfully requested that the objections be withdrawn.

Claims 1-19 were rejected under 35 U.S.C. §101 because claims 1 and 11 allegedly do not create a tangible result. The rejection is respectfully traversed.

For a claimed invention to fall under statutory subject matter, the claimed invention as a whole must produce a "useful, concrete, and tangible result." *State Street*, 149 F.3d at 1373, 47 USPQ 2d at 1601-02. Under MPEP §2106IV(C)(2), a useful result would be something that is specific, substantial and credible. MPEP §2107 and *Fisher*, 421 F.3d at 1372, 76 USPQ 2d at 1230 (citing the Utility Guidelines with approval for interpretation of "specific" and "substantial"). The MPEP also states that to meet the tangible requirement it is not necessary that the claim must either be tied to a particular machine or apparatus or must operate to change articles or material to a different state or thing. Rather, a process claim must set forth a practical application of that judicial exception to produce a real-world result. *Benson*, 409 US at 71-72, 175 USPQ at 676-77. Furthermore, the MPEP states that a concrete result would be one that is substantially repeatable. *In re Swartz*, 232 F.3d 862, 864, 56 USPQ 2d 1703, 1704 (Fed.Cir. 2000).

Independent claim 1 recites an apparatus with a controller that is programmed (i.e., structured), and independent claim 11 recites a method that allows processing to occur if

certain conditions are met. The claimed inventions as a whole produce a "useful, concrete, and tangible result" in that unauthorized access by outsiders is prevented while improving usability.

Page 3 of the Office Action does not focus on the claimed invention as a whole in order to prevent unauthorized access by outsiders while improving usability, but instead individually focuses on separate features and ignores the last paragraph of claims 1 and 11. Such an analysis is not correct, nor is it supported by 35 U.S.C. §101 or the case law cited in MPEP 2106.

It is respectfully requested that the rejection be withdrawn.

Claims 1, 3, 4, 11 and 13 were rejected under 35 U.S.C. §102(b) over Amin, U.S. Publication No. 2001/0051534. The rejection is respectfully traversed.

Claim 1 calls for a communication device with a controller that determines whether a request to perform predetermined processing came in from the WAN or the LAN; allows a user of the communication device to determine whether an operation according to the request is accepted or rejected when it is determined that the request came in from the WAN; and allows the predetermined processing to be performed according to the request when a performance of the operation according to the request is accepted. Claim 11 is a method claim that calls for similar features. Amin fails to disclose all of the features recited in claims 1 and 11.

Amin is directed to a wireless communication device that places restrictions based on whether a telephone call is a local or long distance telephone call. Regardless of whether the telephone call is a local or long distance telephone call, Amin's personal computer 400 receives a telephone call via the MSC 200 and communication network 300 (Fig. 1). Accordingly, there is no reason for Amin to determine whether a request to perform

predetermined processing came in from a WAN or a LAN as recited in claims 1 and 11 because the way in which Amin receives local and long distance telephone calls is the same.

Although Amin discloses that the personal computer 400 includes a communication interface 400 such as a local area network interface, Amin again fails to provide any disclosure as to how this affects the way in which Amin receives local and long distance telephone calls.

It is respectfully requested that the rejection be withdrawn.

Claims 1, 3, 6, 7, 9, 11, 13, 15-18 and 20 were rejected under 35 U.S.C. §103(a) over Susaki et al. (Susaki), U.S. Patent No. 6,189,032, in view of Viets et al. (Viets), U.S. Publication No. 2002/0091532. The rejection is respectfully traversed.

Claim 1 calls for a communication device with a controller that determines whether a request to perform predetermined processing came in from the WAN or the LAN; allows a user of the communication device to determine whether an operation according to the request is accepted or rejected when it is determined that the request came in from the WAN; and allows the predetermined processing to be performed according to the request when a performance of the operation according to the request is accepted. Claim 11 is a method claim and claim 20 is an apparatus claim that call for similar features. Susaki and Viets fails to disclose or suggest all of the features recited in claims 1, 11 and 20.

As admitted on page 9 of the Office Action, Susaki fails to provide any disclosure with regard to determining whether a request to perform predetermining processing comes in from a LAN or a WAN. In fact, Susaki only discloses client terminals 1 and a server 2 that are mutually connected through a communication network 3 such as the LAN (col. 6, lines 9-12). Because Susaki fails to discuss using a WAN, Susaki fails to provide any motivation with regard to preventing unauthorized access by outsiders, suggestion as to how

unauthorized access by outsiders can be achieved, or suggestion with regard to the additional features recited in the last two paragraphs of claims 1, 11 and 20.

Viets discloses a system and method of limiting access from an external network to documents stored on an internal network. Viets limits access by using a controller to determine if a user should be granted access (paragraph [0029] - [0043]). Viets, similar to Susaki, fails to discuss both a WAN and a LAN and thus fails to disclose determining whether a request to perform predetermined processing came in from the WAN or the LAN.

Viets also fails to provide any disclosure with regard to allowing the user the option of determining whether an operation according to a request is accepted and rejected, as recited in claims 1, 11 and 20. Viets instead uses a controller to make such a determination. Viets thus suffers the same problems identified in paragraph [0003] of Applicants' specification in that passwords may be artificially leaked to outsiders as well as being leaked by stealing packets from a network.

It is respectfully requested that the rejection be withdrawn.


Claims 2 and 12 were rejected under 35 U.S.C. §103(a) over Susaki in view of Viets and Joubert et al. (Joubert), U.S. Patent No. 6,101,616; claims 5 and 14 were rejected under 35 U.S.C. §103(a) over Susaki in view of Viets and Allen et al. (Allen), U.S. Publication No. 2003/0041333; and claims 10 and 19 were rejected under 35 U.S.C. §103(a) over Susaki in view of Viets and Boehmke et al. (Boehmke), U.S. Publication No. 2002/0126822. The rejections are respectfully traversed.

Joubert, Allen and Boehmke fail to overcome the deficiencies of Susaki and Viets as applied to independent claims 1, 11 and 20. It is respectfully requested that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time

Date: June 25, 2007

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